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FILED

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Clerk, U.S. Courts
District Of Montana
Billings Division

ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AUSTIN JAMES SAMEK,

Defendant.

CR 24- 164 -BLG- SPW

INDICTMENT

**CONSPIRACY TO POSSESS WITH THE
INTENT TO DISTRIBUTE COCAINE
(Count 1)**

Title 21 U.S.C. § 846

**(Penalty: Mandatory minimum five to 40
years of imprisonment, \$5,000,000 fine, and
at least four years of supervised release)**

**POSSESSION WITH THE INTENT TO
DISTRIBUTE COCAINE (Count 2)**

Title 21 U.S.C. § 841(a)(1)

Title 18 U.S.C. § 2

**(Penalty: Mandatory minimum five to 40
years of imprisonment, \$5,000,000 fine, and
at least four years of supervised release)**

	<p>POSSESSION OF A FIREARM IN FURTHERANCE OF A DRUG TRAFFICKING CRIME (Count 3) Title 18 U.S.C. § 924(c)(1)(A)(i) (Penalty: Mandatory minimum five years to life imprisonment, consecutive to any other sentence, \$250,000 fine, and five years of supervised release)</p> <p>FORFEITURE Title 21 U.S.C. § 853(a)(1) and (2) Title 21 U.S.C. § 881(a)(11) Title 18 U.S.C. § 924(d)</p> <p>TITLE 21 PENALTIES MAY BE ENHANCED BY PRIOR DRUG-RELATED FELONY CONVICTIONS</p>
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THE GRAND JURY CHARGES:

COUNT 1

Beginning in or about May of 2024, and continuing until on or about June 26, 2024, at Billings and in Yellowstone County, in the State and District of Montana, and elsewhere, the defendant, AUSTIN JAMES SAMEK, knowingly and unlawfully conspired and agreed with other persons, known and unknown to the Grand Jury, to possess with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1), 500 grams or more of a substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846.

COUNT 2

Beginning in or about May of 2024, and continuing until on or about June 26, 2024, at Billings and in Yellowstone County, in the State and District of Montana, and elsewhere, the defendant, AUSTIN JAMES SAMEK, knowingly and unlawfully possessed with the intent to distribute, 500 grams or more of a substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), and aided and abetted the same, in violation of 18 U.S.C. § 2.

COUNT 3

Beginning in or about May of 2024, and continuing until on or about June 26, 2024, at Billings and in Yellowstone County, in the State and District of Montana, and elsewhere, the defendant, AUSTIN JAMES SAMEK, knowingly possessed a firearm in furtherance of a drug trafficking crime that may be prosecuted in a court of the United States, namely conspiracy to possess with the intent to distribute cocaine and possession with the intent to distribute cocaine, as alleged in counts 1 and 2 in this indictment, in violation of 18 U.S.C. § 924(c)(1)(A)(i).

FORFEITURE ALLEGATIONS

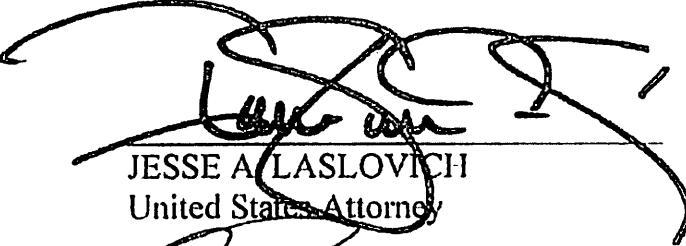
1. Upon conviction of either offense set forth in counts 1 and 2 of this indictment, the defendant, AUSTIN JAMES SAMEK, shall forfeit, pursuant to 21 U.S.C. § 853(a)(1) and (2), and 21 U.S.C. § 881(a)(11): (1) any property

constituting and derived from any proceeds obtained, directly and indirectly, as a result of the commission of said offense; (2) any property used and intended to be used, in any manner and part, to commit, and facilitate the commission of, said offense; and (3) any firearm used and intended to be used to facilitate the transportation, sale, receipt, possession, and concealment of controlled substances, and any proceeds traceable to such property.

2. Upon conviction of the offense set forth in count 3 of this indictment, the defendant, AUSTIN JAMES SAMEK, shall forfeit, pursuant to 18 U.S.C. § 924(d), any firearms and ammunition involved in any knowing violation of said offense.

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.


JESSE A. LASLOVICH
United States Attorney


CYNDEE L. PETERSON
Criminal Chief Assistant U.S. Attorney